

substances contained therein, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On May 24, 1921, the Kistler Vinegar Works, Stroudsburg, Pa., claimant, having consented to decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product be not shipped or sold unless rebranded and properly marked.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9832. Misbranding of Parry's Vegetable Compound No. 4. U. S. \* \* \* v. 5 Bottles \* \* \* of Parry's Vegetable Compound No. 4. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 13864. I. S. No. 1428-t. S. No. C-2579.)**

On November 15, 1920, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 bottles, more or less, of Parry's Vegetable Compound No. 4, at Negley, Ohio, alleging that the article had been shipped by the Parry Medicine Co., Pittsburgh, Pa., on or about March 30, 1920, and transported from the State of Pennsylvania into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Cancer \* \* \* For Stomach, Bowel Trouble, Black Plague and Leprosy."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained olive oil, alcohol, water, and oils of cloves and peppermint.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effects were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed. Misbranding was alleged for the further reason that the statement on the label, to wit, "All goods guaranteed under the Pure Food and Drugs Act of June 30, 1906," was false and misleading.

On May 20, 1921, the Parry Medicine Co., Pittsburgh, Pa., having filed its claim and answer and the case having come on for final disposition, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that the said product be relabeled in a manner satisfactory to this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9833. Misbranding of Patten's Lightning salve. U. S. \* \* \* v. John H. Patten (J. H. Patten). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 13918. I. S. No. 9253-r.)**

On March 4, 1921, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John H. Patten, trading as J. H. Patten, Mountain View, Mo., alleging that on or about November 25, 1919, the said defendant had sold, under a guarantee that

the article should meet the requirements of the Food and Drugs Act, a quantity of Patten's Lightning salve, which was misbranded within the meaning of the said act, and that on February 13, 1920, the said article was shipped, in the identical condition as when received, by the purchaser thereof, from the State of Missouri into the State of Illinois, in further violation of the said act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of camphor, turpentine, soap, rosin, tallow, beeswax, and petrolatum.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the boxes and cartons containing the said article and in the circular inclosed in said cartons, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for piles, fistula, rheumatism, neuralgia, carbuncles, boils, felons, abscesses, blood poison, salt rheum, eczema, old and running sores, diphtheria, tonsillitis, croup, cough, pneumonia, asthma, all throat and lung troubles, catarrh, hay fever, stomach, kidney, liver, and bowel troubles, sore eyes or granulated lids, ulcers, poisons of all kinds, tetter, bronchitis, pleurisy, backache or pain in any part of the body, erysipelas, scrofula, white swelling, all female troubles, constipation, all afflictions where there is inflammation, bloating of stomach, sour stomach, any uneasiness of the stomach, cholera morbus, dysentery, quinsy, sore throat, tumors, goiter, deafness, loss of voice, hoarseness, indigestion, liver pains, itching piles, neuralgia of the stomach, diarrhea, spider bite, diabetes, lung and throat trouble, cancer, la grippe, chronic constipation, catarrh of the stomach, and catarrh of the head, when, in truth and in fact, it was not.

On April 4, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9834. Misbranding of bran feed. U. S. \* \* \* v. Pillsbury Flour Mills Co., a Corporation. Plea of guilty. Fine, \$10. (F. & D. No. 13927. I. S. No. 12167-r.)**

On April 5, 1921, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Pillsbury Flour Mills Co., a corporation, Anoka, Minn., alleging shipment by said company, on or about September 27, 1919, in violation of the Food and Drugs Act, as amended, from the State of Minnesota into the State of Illinois, of a quantity of unlabeled bran feed which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 5, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9835. Adulteration and misbranding of wheat shorts. U. S. \* \* \* v. Holland-O'Neal Milling Co., a Corporation. Plea of guilty. Fine, \$40 and costs. (F. & D. No. 13945. I. S. Nos. 7495-r, 8203-r.)**

On March 25, 1921, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Holland-O'Neal Milling Co., a corporation, Mt. Vernon, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October